

Under the provisions of Section 413.031 of the Texas Workers' Compensation Act, Title 5, Subtitle A of the Texas Labor Code, effective June 17, 2001 and Commission Rule 133.305, titled Medical Dispute Resolution-General, and 133.307, titled Medical Dispute Resolution of a Medical Fee Dispute, a review was conducted by the Division regarding a medical fee dispute between the requestor and the respondent named above. This dispute was received on 4/7/03.

I. DISPUTE

Whether there should be reimbursement for E0745, 99213, 97112, 97250, 97265, 97110, 99203, 97010, 97035, 97750-FC, 99455, E-1399, 99070, 99080, 99213-MP from 1/27/02 through 8/7/02 denied for "N" – not documented.

II. FINDINGS

The request for medical dispute resolution was not received by the Commission until 2/4/03. Per Rule 133.307 (c) and (d), "A request for medical dispute resolution on a carrier denial or reduction of a medical bill pursuant to §133.304 of this title (relating to Medical Payments and Denials)... shall be considered timely if it is filed with the division no later than one (1) year after the date(s) of service in dispute." Therefore all disputed services prior to 2/4/02 are outside Commission jurisdiction and will not be reviewed in this decision.

III. RATIONALE

Rule 133.307 (g)(3) states, "(3) If the request contains only medical fee disputes, the commission shall notify the parties and require the requestor to send to the commission, two copies of additional documentation relevant to the fee dispute. The additional documentation shall include...

(B) a copy of any pertinent medical records or other documents relevant to the fee dispute..."

The requestor was given ample opportunity to furnish the medical reports necessary to verify delivery of service but failed to do so. On this basis, reimbursement is not recommended.

IV. DECISION & ORDER

Based upon the review of the disputed healthcare services within this request, the Division has determined that the requestor **is not** entitled to reimbursement for E0745, 99213, 97112, 97250, 97265, 97110, 99203, 97010, 97035, 97750-FC, 99455, e1399, 99070, 99080, 99213-MP.

The above Findings and Decision are hereby issued this 06th day of April 2004.

Noel L. Beavers
Medical Dispute Resolution Officer
Medical Review Division